

SEC. 2. REPUBLICAN RIVER BASIN FEASIBILITY STUDY.

(a) **AUTHORIZATION OF STUDY.**—Pursuant to reclamation laws, the Secretary of the Interior, acting through the Bureau of Reclamation and in consultation and cooperation with the States of Nebraska, Kansas, and Colorado, may conduct a study to—

(1) determine the feasibility of implementing a water supply and conservation project that will—

(A) improve water supply reliability in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas, including areas in the counties of Harlan, Franklin, Webster, and Nuckolls in Nebraska and Jewel, Republic, Cloud, Washington, and Clay in Kansas (in this section referred to as the “Republican River Basin”);

(B) increase the capacity of water storage through modifications of existing projects or through new projects that serve areas in the Republican River Basin; and

(C) improve water management efficiency in the Republican River Basin through conservation and other available means and, where appropriate, evaluate integrated water resource management and supply needs in the Republican River Basin; and

(2) consider appropriate cost-sharing options for implementation of the project.

(b) **COST SHARING.**—The Federal share of the cost of the study shall not exceed 50 percent of the total cost of the study, and shall be non-reimbursable.

(c) **COOPERATIVE AGREEMENTS.**—The Secretary shall undertake the study through cooperative agreements with the State of Kansas or Nebraska and other appropriate entities determined by the Secretary.

(d) **COMPLETION AND REPORT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 3 years after the date of the enactment of this section the Secretary of the Interior shall complete the study and transmit to the Congress a report containing the results of the study.

(2) **EXTENSION.**—If the Secretary determines that the study cannot be completed within the 3-year period beginning on the date of the enactment of this Act, the Secretary—

(A) shall, at the time of that determination, report to the Congress on the status of the study, including an estimate of the date of completion; and

(B) complete the study and transmit to the Congress a report containing the results of the study by not later than that date.

(e) **SUNSET OF AUTHORITY.**—The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4750, sponsored by Congressman Tom Osborne, authorizes the Secretary of the Interior to study the feasibility of a water supply and conservation project in the Republican River Basin.

This legislation would enact into law one requirement of the Republican River Compact Settlement negotiated between the States of Nebraska, Kansas, and Colorado, and approved by the United States Supreme Court in 2003.

The feasibility study would help clarify the opportunities to increase water

storage in the river basin, and is needed to increase water availability and encourage more efficient water use.

I urge my colleagues to support this needed legislation.

Madam Speaker, I reserve the balance of my time.

Mr. KIND. Madam Speaker, we too support passage of this legislation, encourage its adoption and yield back the balance of our time.

Mr. PEARCE. Madam Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. OSBORNE), the author of the legislation.

Mr. OSBORNE. Madam Speaker, I thank the gentleman from New Mexico for yielding me time and bringing this forward, and for the rapidity with which we are moving through the bills tonight. We are sorry to slow you down. But the gentleman from Kansas (Mr. MORAN) and I would like to say a few words about this bill. He was a co-author with me.

As you mentioned, H.R. 4750 is a study as to how to more efficiently utilize water between Harlan County Dam in Nebraska and Milford Reservoir in Kansas. The reason this is so important is that Nebraska and Kansas signed a compact in 2002, which means that a lot of Nebraska water goes down the Republican River into Kansas, and Nebraska so far has been short. We are 100,000 acre feet short, as a matter of fact, over the last 3 years.

And this has been exacerbated by an extreme drought which we have had for the last 6 years. So this water shortage has made for a very critical situation. So if we can, through this study, allocate water more effectively, save some water, it will help farmers, ranchers, municipalities both in Nebraska and Kansas.

We want to thank you. We want to thank Mr. POMBO and the resources staff for bringing forth this bill on short notice. We think it is very important. We urge its passage. We appreciate the cooperation on both sides of the aisle on this bill.

Mr. PEARCE. Madam Speaker, I yield such time as he may consume to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Madam Speaker, I thank the gentleman from New Mexico. I also thank the gentleman from Wisconsin this evening for being here in support of H.R. 4750. As has been indicated, this is a very important issue for many in both the State of Nebraska and the State of Kansas. I particularly want to express my appreciation to the gentleman from Nebraska (Mr. OSBORNE) and really the cooperation that has existed on very difficult issues between the State of Nebraska and the State of Kansas.

Water is a huge issue in the midwest. It always has been, probably always will be. But it is especially exacerbated by the fact of inadequate rainfall for now, four, five and six years in much of Kansas and much of Nebraska.

An agreement was reached, compact litigation ensued. Ultimately a settle-

ment of that litigation was reached. And that settlement provides for the State of Nebraska and the State of Kansas to come together, provide some money, share with the Federal Government.

The Department of Interior would then conduct a study. The State of Kansas, and I believe the State of Nebraska has appropriated this money for the fiscal year. That is why this legislation is so important to be timely considered and timely approved. All that now remains is for the Federal Government to meet its obligation under the settlement agreement.

The feasibility study is desperately needed to increase the water availability to find out how we do that, and to encourage its efficient use and conservation within our delivery system.

Madam Speaker, the feasibility study authorized by 4750 is not only necessary to ensure the State remains in compliance with that agreement, but to make certain that the economic, agriculture and personal use of water is done in a very efficient and effective way.

I urge Members of Congress to approve this legislation.

Mr. PEARCE. Madam Speaker, I would remind the Members that this is a very bipartisan bill, everything being bipartisan except the name of the river basin being studied. I would urge passage.

Madam Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 4750, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 2315

LAS CIENEGAS ENHANCEMENT ACT

Mr. PEARCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5016) to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Las Cienegas Enhancement Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term “Federal land” means the Sahuarita parcel of land consisting of approximately 1,280 acres, as depicted on the map entitled “Las Cienegas Enhancement Act—Federal Land” and dated May 9, 2006.

(2) **LANDOWNER.**—The term “landowner” means Las Cienegas Conservation, LLC.

(3) **NON-FEDERAL LAND.**—The term “non-Federal land” means the Empirita-Simonson parcel of land consisting of approximately 2,392 acres, as depicted on the map entitled “Las Cienegas Enhancement Act—Non-Federal Land” and dated May 9, 2006.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. LAND EXCHANGE, BUREAU OF LAND MANAGEMENT LAND IN PIMA COUNTY, ARIZONA.

(a) **EXCHANGE AUTHORIZED.**—If the landowner offers to convey to the Secretary title to the non-Federal land, the Secretary shall accept the offer and convey to the landowner all, right, title, and interest of the United States in and to the Federal land.

(b) **VALUATION, APPRAISALS, AND EQUALIZATION.**—

(1) **EQUAL VALUE EXCHANGE.**—The value of the Federal land and the non-Federal land to be exchanged under this section shall be equal. If the values are not equal, the values shall be equalized in accordance with paragraph (3).

(2) **APPRAISAL.**—To determine the value of the Federal land and the non-Federal land, the Federal land and the non-Federal land shall be subject to an appraisal by an independent, qualified appraiser agreed to by the Secretary and landowner. The appraiser shall consider the value of the Federal land and the non-Federal land as of the date of the enactment of this Act. The appraisal shall be conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice. Not later than 180 days after the date of enactment of this Act, the appraisal shall be submitted to the Secretary and landowner for approval.

(3) **EQUALIZATION OF VALUES.**—If the values of the Federal land and non-Federal land are not equal, their values may be equalized—

(A) by reducing the acreage of the non-Federal land or the Federal land to be exchanged, as appropriate; or

(B) by the payment by the landowner or the Secretary of a cash equalization payment, which, in the case of a cash equalization payment made by the landowner, may exceed 25 percent of the value of the Federal land, notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(4) **DISPOSITION AND USE OF PROCEEDS.**—Any cash equalization payment received by the Secretary under paragraph (3) shall be deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)). Amounts so deposited shall be available to the Secretary, without further appropriation and until expended, for the acquisition of land and interests in land in southern Arizona.

(c) **PROTECTION OF VALID EXISTING RIGHTS.**—The exchange of the Federal land and the non-Federal land shall be subject to any easements, rights-of-way, and other valid encumbrances on the land in existence on the date of enactment of this Act.

(d) **TIME FOR COMPLETION OF EXCHANGE.**—The exchange of the Federal land and non-Federal land under this section shall be completed—

(1) except as provided in paragraph (2), not later than one year after the date of the enactment of this Act; or

(2) if there is a dispute concerning an appraisal of the Federal land or non-Federal land or appraisal issue arising under subsection (b), before the expiration of the 90-day period beginning on the date the dispute is resolved.

(e) **ADMINISTRATIVE COSTS.**—As a condition of the conveyance of the Federal land to the landowner, the landowner shall pay the costs of carrying out the exchange of the Federal land and non-Federal land under this section, including any direct costs relating to any environmental reviews and mitigation of the Federal land.

(f) **CORRECTION OF ERRORS; MINOR BOUNDARY ADJUSTMENTS.**—The Secretary and landowner may mutually agree—

(1) to correct minor errors in the legal descriptions of the Federal land and non-Federal land to be exchanged under this section; or

(2) to make minor adjustments to the boundaries of the Federal land and non-Federal land.

(g) **ROAD ACCESS.**—Not later than 18 months after the date on which the non-Federal land is acquired by the Secretary, the Secretary shall provide to the Secretary of Agriculture a right-of-way through the non-Federal land for motorized public road access to the boundary of the Coronado National Forest. The right-of-way shall be provided in accordance with section 507 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1767).

(h) **ADMINISTRATION OF LAND ACQUIRED BY THE UNITED STATES.**—On acquisition of the non-Federal land by the Secretary, the Secretary shall—

(1) include the acquired land as part of the Las Cienegas National Conservation Area; and

(2) administer the acquired land in accordance with Public Law 106-538 (16 U.S.C. 460000 et seq.), which established the Las Cienegas National Conservation Area, and other applicable laws.

SEC. 4. MODIFICATION OF LAS CIENEGAS NATIONAL CONSERVATION AREA BOUNDARY.

The boundary of the Las Cienegas National Conservation Area is modified to exclude the 40-acre tract that, as of the date of the enactment of this Act, is leased by the Bureau of Land Management to the town of Elgin, Arizona, for a sanitary landfill.

SEC. 5. LAND CONVEYANCE, PIMA COUNTY, ARIZONA.

As an additional condition of the conveyance of the Federal land to the landowner under section 3, the landowner shall convey, without consideration, to Pima County, Arizona, a parcel of land consisting of approximately 98 acres, as depicted on the map referred to in section 2(1) as “land to be conveyed to Pima County”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from Wisconsin (Mr. KIND) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 5016, introduced by Mr. KOLBE, would consolidate lands within the Las Cienegas National Conservation Area located 50 miles south of Tucson. The area consists of 42,000 acres managed by the Bureau of Land Management.

This legislation would add 2,490 acres of private land to the conservation area in exchange for 1,280 acres of isolated BLM lands. The bill would also modify the boundary of the conservation area to exclude a 40-acre tract of land for a sanitary landfill. This area was inadvertently included in the original boundary.

I would urge support for this bill.

Madam Speaker, I reserve the balance of my time.

Mr. KIND. Madam Speaker, I, too, support passage of this legislation and would encourage its adoption, and I yield back the remainder of our time.

Mr. PEARCE. Madam Speaker, before I depart, I would like to thank the gentleman from Wisconsin for his great

work here. I think we have set a modern land speed record on these bills, and I thank him very much.

Madam Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5016, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COLUMBIA SPACE SHUTTLE MEMORIAL STUDY ACT

Mr. GOHMERT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5692) to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing memorials to the Space Shuttle *Columbia* on parcels of land in the State of Texas, as amended.

The Clerk read as follows:

H.R. 5692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Columbia Space Shuttle Memorial Study Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **MEMORIAL.**—The term “memorial” means a memorial to the Space Shuttle *Columbia* that is subject to the study in section 3(a).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. STUDY OF SUITABILITY AND FEASIBILITY OF ESTABLISHING MEMORIALS TO THE SPACE SHUTTLE COLUMBIA.

(a) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available, the Secretary shall conduct a special resource study to determine the feasibility and suitability of establishing a memorial as a unit or units of the National Park System to the Space Shuttle *Columbia* on land in the State of Texas described in subsection (b) on which large debris from the Shuttle was recovered.

(b) **DESCRIPTION OF LAND.**—The parcels of land referred to in subsection (a) are—

(1) the parcel of land owned by the Fredonia Corporation, located at the southeast corner of the intersection of East Hospital Street and North Fredonia Street, Nacogdoches, Texas;

(2) the parcel of land owned by Temple Inland Inc., 10 acres of a 61-acre tract bounded by State Highway 83 and Bayou Bend Road, Hemphill, Texas;

(3) the parcel of land owned by the city of Lufkin, Texas, located at City Hall Park, 301 Charlton Street, Lufkin, Texas; and

(4) the parcel of land owned by San Augustine County, Texas, located at 1109 Oaklawn Street, San Augustine, Texas.

(c) **ADDITIONAL SITES.**—The Secretary may recommend to Congress additional sites in the State of Texas relating to the Space Shuttle *Columbia* for establishment as memorials to the Space Shuttle *Columbia*.